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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/088,014

03/14/2002

Yoshihisa Yamada

1163-0396P

4932

2292

7590

11/16/2005

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EXAMINER

SENF, BEHROOZ M

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 10/088,014	Applicant(s) YAMADA ET AL.	
	Examiner Behrooz Senfi	Art Unit 2613	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 October 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: 14.
- Claim(s) objected to: _____.
- Claim(s) rejected: 12, 13 and 15-23.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☐ Other: _____.


YULE
PRIMARY EXAMINER

Continuation of 11. does NOT place the application in condition for allowance because:

Applicant asserts (remarks, filed, 10/12/2005, page 3, lines 9 - 14, in regards to claims 12 and 15) that Boyce fails to teach, an image signal storage and reconstruction apparatus as claimed, "in which a coded signal storage unit (allegedly corresponding to frame storage unit) extracts, in accordance with a storage start signal, information indicating the coding mode of the entirety of an image from the coded image signal and starts storing the coded image signal upon detecting that the input coding image is one in which the entirety of an image is intra frame coded".

Examiner respectfully disagrees:

As best understood by the examiner, based on applicant's argument (remarks, page 3, lines 9 - 14) the storage unit in instant application, stores the image only if the coding mode and/or the image is intra-frame coded, start storing the coded image. In Boyce '091, also the storage unit 340 (fig. 3) starts to store the image when the coding mode and/or image are intra coded, and then starts to store the image. In other-words only stores the intra-coded image, which meets the limitations as claimed.

Applicant did not raise any issues regarding the rest of the claims, therefore;


Claims 12 - 13, 15 - 17 and 20 - 21 are still rejected under 35 U.S.C. 102(e) as being anticipated by Boyce (US 6,012,091), for the same reason as set forth in previous Office Action (dated, 7/12/2005).

Claims 18 - 19 and 22 - 23 are still rejected under 35 U.S.C. 103(a) as being unpatentable over Boyce (US 6,012,091) in view of Isu et al (US 6,862,320), for the same reason as set forth in previous Office Action (dated, 7/12/2005).

Claim 14 is allowed over the prior art of the record.

The following is an examiner's statement of reasons for allowance: the prior art of the record fails to anticipate or rendered obvious "a coding control unit which receives an intra frame request signal sent from the image signal storage and reconstruction apparatus and detects frequency of error occurrences, so as to control the frequency of the coded intra frame coded image signal in which the entirety of an image is intra frame coded, in accordance with the frequency of the intra frame request signal and that of the error occurrences" as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance.".


J. U. LE
PRIMARY EXAMINER